

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Herbert Getz,  
Plaintiff,  
vs.  
Land O'Lakes / Purina  
Defendant,

) Case No.: 1:22-cv-1849.  
)  
) CIVIL COMPLAINT  
) Demand for Jury Trial  
)  
)  
)  
)  
)

**COMPLAINT**

COMES NOW the plaintiff, Herbert Getz., pro se, and files  
this complaint against the defendant as follows:

**PARTIES**

1. The Plaintiff, Herbert Getz, is an individual representing himself pro se, with residence located at 715 Colonial Ct., Mechanicsburg PA. 17050. Plaintiff, Herbert Getz, is hereinafter referred to as "Plaintiffs," "Mr. Getz."
2. The Defendant, Land O' Lakes / Purina. Home office is located at 470 Terminal St, Camp Hill PA 17011 is hereinafter referred to as "Defendant," "LOL," or "Employer".

**FACTS PERTAINING TO PARTIES**

3. Paragraphs 1 through 2 are incorporated herein by reference as though set forth in full.

4. Herbert Getz, a United States Citizen of African descent, and is a member of a protected class as defined by the Equal Employment Opportunities Commission.

5. Land O'Lakes., is a corporation with less than 100 employees, legally authorized to do business in the United States of America.

6. Herbert Getz was employed by Land O'Lakes / Purina, LLC beginning on December 12, 2019.

7. Herbert Getz was forced to resign his position from Land O'Lakes / Purina, LLC on June 20, 2020.

**FACTS PERTAINING TO THE CASE**

8. Paragraph 3 through 7 are incorporated herein by reference as though set forth in full.

9. On March 17, 2020, Mr. Getz filed a Complaint of discrimination against Land O' Lakes / Purina, LLC. With the Pennsylvania Human Relations Commission. This charge outlined in detail, the situation surrounding the discriminatory practices the Mr. Getz had been subjected to during his employ at Land O'Lakes / Purina. (Exhibit 1)

10. On or around October 18. 2020, Mr. Getz received the Respondents Answer to his Charge of Discrimination filed with the PHRC. (Dee Exhibit 2)

11. On November 20, 2020, Mr. Getz, through his Representative, submitted his Rebuttal to Respondents Answer to his Complaint filed with the PHRC, in support of his allegations against Land O' Lakes / Purina. (Exhibit 3)

12. During his tenure with LOL, Mr. Getz was subjected to and witnessed numerous incidents of discrimination based on his

1 and other employees' race, sexual orientation and violations  
2 of his rights under HIPPA Law as it refers to an undisclosed  
3 medical condition. (See Exhibit 1)  
4

5  
6 13. Mr. Getz received a case closure notification from the  
7 PHRC dated May 17, 2022. The letter was received by Mr.  
8 Getz on July 8, 2022. (See Exhibit 4)  
9

10  
11 14. Mr. Getz immediately filed a Request for  
12 Reconsideration with the EEOC on July 21, 2022.  
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14 (See Exhibit 5)  
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16  
17 15. On August 26, 2022. Mr. Getz was notified by his  
18 Representative that he had received the Dismissal of  
19 Charge with attached Notice of Right to Sue, from the  
20 EEOC. (Exhibit 6)  
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**STATEMENT**

Mr. Getz Charge was initially filed with the PHRC in 2020. This charge was submitted for processing under what he had been informed was a PRIORITY. Throughout the process, the charge was pushed to numerous investigators at the PHRC and was never investigated. When contact was made and documented conversations held with high-ranking administrative officials at PHRC, Mr. Getz, through his designated representative, was informed that the charge would be investigated at the highest priority and pushed forward, it was not.

Mr. Getz received his Dismissal Notice from the PHRC on July 8, 2022. It has become clear that this charge and many other charges against Land O' Lakes / Purina, LLC. are not investigated or the charging party is influenced in a way to withdraw the charge itself, after filing with the local PHRC office.

Mr. Getz filed his Request for Reconsideration / Review with the EEOC on July 21, 2022. Mr. Getz was in possession of additional information and witnesses that he requested to submit to the EEOC for review once assigned an investigator that will support the claims alleged in both charges referenced on behalf of Complainant in the above referenced matter. Mr. Getz was forced to endure discriminatory practices and additional harassment that eventually forced him to resign his position with Land O' Lakes / Purina, LLC.

Mr. Getz has suffered severe financial, physical, and emotional hardship as a direct result of his treatment at Land O' Lakes / Purina, LLC. This has been well documented and supported by his caregiver(s) and all documentation has been offered but never received due to the unwillingness of the referenced agencies to adequately investigate the charges.

1  
2 Mr. Getz has suffered through discrimination and witnessed the unlawful  
3 practices of Land O' Lakes / Purina for the entire length of his employment  
4 and has followed all required guidelines regarding his filing with the PHRC  
5 and subsequently the EEOC, just to have his claims discarded without proper  
6 investigation or review. This is unacceptable and is in direct violation of  
7 Mr. Getz rights guaranteed to him under Title VII of the Civil Rights Act.  
8 This allows for the charge to be placed under the jurisdiction of the EEOC  
9 and is well within the jurisdiction of this court based on the Notice of  
10 Rights administered to Mr. Getz by the EEOC, upon dismissal of his charge.

CAUSES OF ACTION

16. Plaintiffs incorporate by reference paragraphs 1 through 16 of this Petition set forth in full.

17. The conduct of the defendants to participate in a conspiracy to deprive Mr. Getz. of finances related to his employment, as well as his right to be heard is violation of his rights to due process under the 5<sup>th</sup> Amendment.

18. Undisclosed medical condition breach of privacy violates Hippa Law protections.

19. By participating in acts which intentionally harmed Mr. Getz, the defendant acted unethically and with bias which is clearly proven based on their sole course of action to deprive Mr. Getz of his rights, and to cause him extreme distress and financial loss to him and his immediate family.

20. Due to defendants' acts and failures to act, plaintiff suffered extreme emotional distress, mental anguish as well as financial loss for the entire Getz family.

21. The acts of defendants constitute intentional infliction of emotional distress.

22. WHEREFORE, plaintiff respectfully requests judgments of the court against all the defendants awarding to plaintiff(i) damages in excess of \$1,000.000.00 for each defendant (ii) pre-and post-judgment interest, (iii) costs, including reasonable attorney fees for this action; and (v) any other relief deemed just and equitable by the court.

1 Respectfully submitted,

2  
3 Herbert Getz

4  
5 By 

6 Herbert Getz, pro se

7 715 Colonial Ct

8 Mechanicsburg, PA 17050

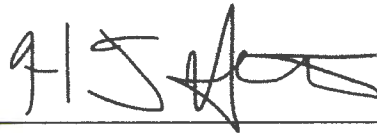
9 Plaintiff respectfully requests that the issues in this matter  
10 be heard by a jury.



**CERTIFICATION**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information and belief this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (1) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11/

Dated this 21st Day of November  
2022

A handwritten signature in black ink, appearing to read 'H. Getz', written over a horizontal line.

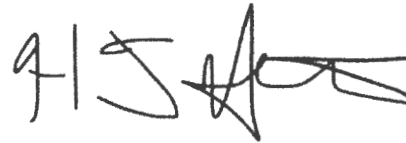
Herbert Getz

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Civil Complaint  
Filed in the Middle District of California was sent via  
First Class Registered mail, postage paid, this 21<sup>st</sup> day  
of November 2022 to:

Land O'Lakes / Purina  
470 Terminal St  
Camp Hill, PA 17011

Regards,

A handwritten signature in black ink, appearing to read 'H. Getz', written over a horizontal line.

Herbert Getz